

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

E-filing

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

FILED
MAR 26 2008**DEFENDANT - U.S.**▶ **JAMES RICHARDS**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DISTRICT COURT NUMBER

CR08-0194**SBA****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ALCOHOL, TOBACCO AND FIREARM☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form **JOSEPH P. RUSSONIELLO**☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) **JAMES C. MANN, AUSA****DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges ▶2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☒ State6) ☒ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Santa Rita JailHas detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANTBail Amount: **NO BAIL**

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments:

ATTACHMENT TO PENALTY SHEET FOR JAMES RICHARDS

Count One: 21 U.S.C. §§ 841(a)(1), (b)(1)(C) - Possession With Intent To Distribute A Schedule II Controlled Substance (Cocaine Base).

If 851 Information alleging prior felony narcotics conviction filed:

- (1) Imprisonment: Maximum 30 Years Imprisonment
- (2) Fine: Maximum \$2,000,000
- (3) Supervised Release: Maximum Lifetime
Mandatory Minimum 6-Year Term
- (4) Special Assessment: \$100.00

If 851 Information alleging prior felony narcotics conviction not filed:

- (1) Imprisonment: Maximum 20 Years Imprisonment
- (2) Fine: Maximum \$1,000,000
- (3) Supervised Release: Maximum Lifetime
Mandatory Minimum 3-Year Term.
- (4) Special Assessment: \$100.00

Count Two: 18 U.S.C. § 922(g)(1) – Felon In Possession Of A Firearm.

- (1) Imprisonment: Maximum 10 Years.
- (2) Fine: \$250,000
- (3) Supervised release: Maximum 3-Year Term
- (4) Special assessment: \$100.00

Count Three: 18 U.S.C. § 924(c)(1)(A) – Possession Of Firearms In Furtherance of Drug Trafficking Crimes.

- (1) Imprisonment: Maximum Life Imprisonment
Mandatory Minimum 5 Years Imprisonment
Consecutive To Any Other Term Of Imprisonment
- (2) Fine: \$250,000
- (3) Supervised Release: Maximum 5-Year Term
- (4) Special Assessment. \$100.00

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

CRO8-0194 SBA

UNITED STATES OF AMERICA,

V.

E-filing

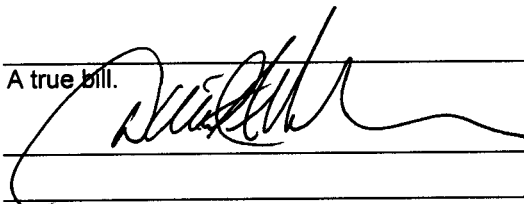
JAMES RICHARDS,

DEFENDANT(S).

INDICTMENT

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession With Intent
To Distribute Crack Cocaine; 18 U.S.C. § 922(g)(1) – Felon in
Possession of a Firearm; 18 U.S.C. § 924(c)(1)(A) – Using and
Carrying a Firearm During Drug Trafficking Crime

A true bill.


Foreman

Filed in open court this 26 day of

MARCH 2008

Clerk

Bail, \$

Wayne D. Brazil No bail arrest warrant.
3/26/08

FILED
2008 MAR 26 PM 12:34
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED
2008 MAR 26 PM 12:34
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
JAMES RICHARDS,
Defendant.

CR08-0194 SBA

VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(C) – Possession With Intent To
Distribute Crack Cocaine; 18 U.S.C. §
922(g)(1) – Felon in Possession of a
Firearm; 18 U.S.C. § 924(c)(1)(A) – Using
and Carrying a Firearm During Drug
Trafficking Crime

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession With Intent To
Distribute Crack Cocaine)

On or about November 8, 2007, in the Northern District of California, the defendant,

JAMES RICHARDS,

knowingly and intentionally possessed with intent to distribute a Schedule II controlled
substance, namely, approximately 2.43 grams of a mixture and substance containing a detectable
amount of cocaine base in the form of “crack,” in violation of Title 21, United States Code,
Sections 841(a)(1) and 841(b)(1)(C).

INDICTMENT

COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm)

On or about November 8, 2007, in the Northern District of California, the defendant,
JAMES RICHARDS,
having previously been convicted of a felony crime punishable by a term of imprisonment
exceeding one year, did knowingly possess a firearm and ammunition, described as: (1) a AA
Arms Inc., Model AP9 9mm semiautomatic pistol, with serial number 058198, and (2) 27 live
rounds of 9mm ammunition, in and affecting commerce, in violation of Title 18, United States
Code, Section 922(g)(1).

COUNT THREE: (18 U.S.C. § 924(c)(1)(A) – Using, Carrying, and Possessing a Firearm
During, in Relation to, and in Furtherance of a Drug Trafficking Crime)

On or about November 8, 2007, in the Northern District of California, the defendant,
JAMES RICHARDS,
did knowingly use and carry a firearm during and in relation to the drug trafficking crime alleged
in Count One herein, which crime may be prosecuted in a court of the United States, and, in
furtherance of that crime, did knowingly possess that firearm, in violation of Title 18, United
States Code, Section 924(c)(1)(A).

DATED: March 26, 2008

A TRUE BILL.

FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney

W. DOUGLAS SPRAGUE
Chief, Oakland Branch

(Approved as to form: J.C. MANN)
AUSA J.C. MANN

INDICTMENT